

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA

FREDERICK JACKSON,

Plaintiff,

v.

CO I HOWARD ROBINSON, et al.,

Defendants.

Civil Action No. 2:06-CV-478-WHA

AFFIDAVIT

Before me, the undersigned authority, a Notary Public in and for the State of Alabama at Large, personally appeared Jerry Miller, who being known to me and being by me first duly sworn, deposes and says:

My name is Jerry Miller. I am currently employed with the Alabama Department of Corrections as a Correctional Officer I at Elmore Correctional Facility in Elmore, Alabama. I am over twenty-one (21) years of age.

I am assigned to the Alabama Department of Corrections Recycling Center located at Elmore Correctional Facility.

On April 25, 2006, inmate Fredrick Jackson, B/M, 214605, reported to Correctional Officer I Howard Robinson that he had injured himself by getting his left hand caught in the main incline line chain driven motor. Approximately thirty (30) seconds after inmate Jackson reported his injury, Officer Robinson went to the piece of equipment inmate Jackson alleged injured him and saw that the cover was on it.

The chain drives located at the Elmore Recycling Center have covers over the moving parts. Inmate Jackson or other inmates would have had to remove the cover for inmate Jackson to be injured.



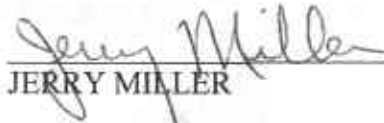
I immediately escorted inmate Jackson to the back gate at Elmore Correctional Facility. Sgt. Robert Esco at Elmore Correctional Facility and the Health Care Unit (HCU) at Staton Correctional Facility were notified. The inmates at Elmore Correctional Facility get medical treatment at the Staton HCU. Inmate Jackson was transported to the Staton HCU for medical treatment.

Safety equipment is provided to the inmates that work at Recycling before the beginning of each shift.

Inmate Jackson has never complained to me about working at Recycling, nor has he ever complained to me about dangerous conditions.

I have never intentionally placed inmate Jackson or any other inmate in a dangerous situation, nor have I ever denied inmate Jackson or any other inmate medical treatment.

I deny that I violated any of inmate Jackson's Constitutional rights. All action on my part was in the line, course and scope of my duties and responsibilities as a Correctional Officer I with the Alabama Department of Corrections.


JERRY MILLER

STATE OF ALABAMA:

COUNTY OF ELMORE:

Sworn to and subscribed before me and given under my hand and official seal on this the

2nd day of August, 2006.


NOTARY PUBLIC

My Commission expires 2/3/07